

GUIDANCE FOR FEDERAL LAND MANAGERS ON THE IMPLEMENTATION OF EPA’S ALL APPROPRIATE INQUIRIES REGULATION

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“ALL APPROPRIATE INQUIRIES” REGULATION

On November 1, 2005, the U.S. Environmental Protection Agency (EPA) promulgated the final *All Appropriate Inquiries* regulation (40 CFR 312) as required by the 2002 Small Business Liability Relief and Brownfields Revitalization Act, PL 107-118, (Brownfields Amendment) to Comprehensive Environmental Response, Compensation and Liability Act (CERCLA.) This regulation is applicable to the environmental screening of proposed acquisitions of real property to which liability can attach. As the major land holders in the nation, the Department of the Interior (DOI) and Department of Agriculture (USDA) combined prepare more than 4,500 pre-acquisition environmental site assessments annually primarily using in-house expertise and staff. All land acquisitions completed on or following November 1, 2006, must comply with 40 CFR 312 in order for the federal government to claim protection from liability under the CERCLA as an innocent landowner, a bona fide prospective purchaser, or a contiguous property owner. Additionally, the Coast Guard and Maritime Transportation Act of 2004, PL 108-293, amended the Oil Pollution Act of 1990 and requires the U.S. Coast Guard to promulgate “all appropriate inquiry” regulations for protection from liability for oil discharges. The U.S. Coast Guard has indicated an intention to adapt the EPA regulation for protection of liability from oil discharges.

The Brownfields Amendment amended CERCLA to clarify liability protections for certain property owners and potential property owners. The Brownfields Amendment required EPA to promulgate a regulation to establish federal standards and practices for conducting an “all appropriate

§312.10(a):
Date of acquisition or purchase date
 means: the date on which a person acquires title to the property.

inquiry.” The regulation is applicable to all commercial land transactions in the United States for those persons who may potentially claim protection from CERCLA liability as an innocent landowner, a bona fide prospective purchaser, or a contiguous property owner. Grantees under the EPA’s Brownfields Grant program to assess and characterize properties must also comply with the All Appropriate Inquiries standards. The effective date of the regulation is November 1, 2006.

§ 312.20 All appropriate inquiries.

(a) “All appropriate inquiries” pursuant to CERCLA section 101(35)(B) must be conducted within one year prior to the date of acquisition of the subject property ...

(b) Notwithstanding paragraph (a) of this section, the following components of the all appropriate inquiries must be conducted or updated within 180 days of and prior to the date of acquisition of the subject property:

- (1) Interviews with past and present owners, operators, and occupants (see § 312.23);
- (2) Searches for recorded environmental cleanup liens (see § 312.25);
- (3) Reviews of federal, tribal, state, and local government records (see § 312.26);
- (4) Visual inspections of the facility and of adjoining properties (see § 312.27); and
- (5) The declaration by the environmental professional (see § 312.21(d)).

The underlying processes of conducting an environmental site assessment to meet the requirements of the 40 CFR 312 focus on exercising professional judgment to identify past and/or current practices or operations at the property that may have caused the release of hazardous substances or petroleum products, and to determine the likelihood and significance of such releases. The first phase of assessment typically involves gathering information from a records review, interviews with knowledgeable individuals, and a site visit. A second phase, if necessary, typically involves environmental sampling and analysis. These assessments must be conducted by an Environmental Professional or by an individual or individuals under the responsible charge of an Environmental Professional. Pre-acquisition Environmental Site Assessments are typically conducted using a team of individuals possessing qualifications and experience suitable for a particular area or property type, or familiarity with the kinds of concerns that should be evaluated. One person typically does not possess all the needed experience required to prepare the Pre-acquisition Environmental Site Assessments. The team is usually multi-disciplinary and may include realty specialists, environmental compliance specialists, geologists, biologists, environmental engineers, and archeologists. The skills of a particular team, however, should vary with the nature and history of the site.

§ 312.21 Results of inquiry by an environmental professional.

(a) Persons identified under § 312.1(b) must undertake an inquiry, as defined in paragraph (b) of this section, by an environmental professional, or conducted under the supervision or responsible charge of, an environmental professional, as defined in §312.10. Such inquiry is hereafter referred to as “the inquiry of the environmental professional.”

A Pre-acquisition Environmental Site Assessment meeting the requirements of the regulation must be prepared within one year of the date of acquisition of the property. The following parts of the Pre-acquisition Environmental Site Assessment must be completed or updated within the 180 day time-period prior to acquisition: interviews, records review, site visit, and declaration of the environmental professional. Additional information on the requirements of 40 CFR 312 and an explanation of the differences between the new requirements and the previous requirements are provided in Appendix A, EPA's "Comparison of the Final All Appropriate Inquiries Standard and the ASTM E1527-00 Environmental Site Assessment Standard." This document may also be found on the EPA website at <http://www.epa.gov/brownfields/regneg.htm#comparison>

QUALIFICATIONS OF AN ENVIRONMENTAL PROFESSIONAL

For the purposes of conducting Pre-acquisition Environmental Site Assessments, an Environmental Professional, as defined in the regulation, must possess specific combinations of education and/or experience.

§312.10(a):

Environmental Professional means:

(1) a person who possesses sufficient specific education, training, and experience necessary to exercise professional judgment to develop opinions and conclusions regarding conditions indicative of releases or threatened releases (see § 312.1(c)) on, at, in, or to a property, sufficient to meet the objectives and performance factors in § 312.20(e) and (f).

(2) Such a person must:

(i) Hold a current Professional Engineer's or Professional Geologist's license or registration from a state, tribe, or U.S. territory (or the Commonwealth of Puerto Rico) and have the equivalent of three (3) years of full-time relevant experience; or

(ii) Be licensed or certified by the federal government, a state, tribe, or U.S. territory (or the Commonwealth of Puerto Rico) to perform environmental inquiries as defined in § 312.21 and have the equivalent of three (3) years of full-time relevant experience; or

(iii) Have a Baccalaureate or higher degree from an accredited institution of higher education in a discipline of engineering or science and the equivalent of five (5) years of full-time relevant experience; or

(iv) Have the equivalent of ten (10) years of full-time relevant experience.

(3) An environmental professional should remain current in his or her field through participation in continuing education or other activities.

(4) The definition of environmental professional provided above does not preempt state professional licensing or registration requirements such as those for a professional geologist, engineer, or site remediation professional. Before commencing work, a person should determine the applicability of state professional licensing or registration laws to the activities to be undertaken as part of the inquiry identified in §312.21(b).

In its “Response to Comment Document” regarding the All Appropriate Inquiry Proposed Rule, EPA states that with regards to “full-time” relevant experience:

“The use of the phrase ‘full-time’ within the definition of environmental professional and the definition of relevant experience is meant to require that an individual has accumulated the equivalent of 3, 5, or 10 years of experience. An individual may accumulate such experience over a longer length of time than the 3, 5, or 10 years, as long as the total time of accumulate experience would be the equivalent of 3, 5, or 10 years of full-time experience. Even after an individual accumulates the required number of years of full-time experience, that individual does not have to conduct environmental site assessments, or all appropriate inquiries investigations, on a full-time basis to qualify as an environmental professional.”

RELEVANT EXPERIENCE FOR AN ENVIRONMENTAL PROFESSIONAL

§312.10(a):

Relevant experience, as used in the definition of environmental professional in this section, means: participation in the performance of all appropriate inquiries investigations, environmental site assessments, or other site investigations that may include environmental analyses, investigations, and remediation which involve the understanding of surface and subsurface environmental conditions and the processes used to evaluate these conditions and for which professional judgment was used to develop opinions regarding conditions indicative of releases or threatened releases (see § 312.1(c)) to the subject property.

This guidance addresses three categories of experience and describes decision rules for those categories:

- (1) Phase I or Phase II environmental site assessment experience as described below, which will always be considered relevant
- (2) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Preliminary Assessment and Site Inspection experience, which will almost always be considered relevant
- (3) Other environmental experience that mirrors the underlying processes of conducting environmental site assessments, which will need to be evaluated for relevancy on a case-by-case basis

The most direct relevant experience an individual can have to qualify as an Environmental Professional under the All Appropriate Inquiry rule is from either conducting or reviewing and

making recommendations to approve or disapprove Phase I and/or Phase II environmental site assessments. Phase I environmental site assessments are described in ASTM International Standard E1527-05 entitled “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” and Phase II environmental site assessments are described in ASTM International Standard E1903-97 (2002) entitled “Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process.” Except as described below, Phase I and/or Phase II experience will always be considered relevant experience. All Phase I experience will always be relevant. That portion of Phase II experience associated with planning the investigation, evaluating data, drawing conclusions, preparing a written report, and reviewing or making recommendations about approval of the report will always be relevant. By contrast, actual sample collection, such as a field technician might perform, would not be considered relevant by itself as it does not involve the exercise of professional judgment regarding potential releases of hazardous substances or petroleum products.

Of course, the specific Phase I or Phase II experience an individual possesses will make him/her a more appropriate choice for a particular All Appropriate Inquiry assignment. For example, while an individual with 20 years of experience conducting Phase I environmental site assessments at residential and commercial properties would clearly qualify as an Environmental Professional, such person would likely not be the best choice to conduct an All Appropriate Inquiry investigation at a property with a history of industrial manufacturing or mining operations. Similarly, it would be desirable to select an Environmental Professional with both Phase I and II environmental site assessment experience at a property where Phase II type work is probable following the Phase I investigation.

Experience in conducting or reviewing and making recommendations to approve or disapprove Preliminary Assessments (PAs) and Site Inspections (SIs) as part of the CERCLA remedial planning process is similar to Phase I and II environmental site assessment experience. Such Preliminary Assessment/Site Inspection experience will almost always be considered relevant experience. In certain instances, the sources of potential contamination at a site undergoing a Preliminary Assessments are already well known. In such cases, the investigator may not gain experience in discovering and identifying potential releases of hazardous substances and petroleum products. In determining the extent to which Preliminary Assessment/Site Inspection experience is relevant, federal land management agencies should ensure that individuals have had experience in discovering and identifying potential releases or sources of contamination.

Other types of environmental experience may be relevant to qualify an individual as an Environmental Professional if such experience mirrors the underlying processes of conducting environmental site assessments. For example, the types of analyses that individuals perform to satisfy the requirements of the National Environmental Policy Act (NEPA) identify and evaluate potential environmental impacts of proposed federal projects. If these projects involve evaluating properties at which releases of hazardous substances or petroleum products may have occurred, the environmental portion (as distinct from the socioeconomic portion) of NEPA-related experience may be relevant. Alternatively, the planning process for developing an environmental management system at a facility involves identifying environmental aspects of facility operation and evaluating the impacts of those aspects. If the facility handles or has

handled hazardous substances or petroleum products, the environmental management systems experience may be relevant. Other examples are no doubt possible. Federal land management agencies will need to evaluate such experience on a case-by-case basis to determine if it is relevant to qualify an individual as an Environmental Professional.

Training and Continuing Education

The Bureau of Land Management, and the U.S. Fish and Wildlife Service offer courses applicable to the preparation of Pre-acquisition Environmental Site Assessments. These courses may be used for “continuing education” by Environmental Professionals meeting the regulatory qualifications. Additionally, some of these courses may be used as relevant experience by those individuals gaining additional experience to qualify as an Environmental Professional. Courses taken should be discussed with the supervisor and included in annual individual development plans. The individual and their supervisor’s professional judgment should be used when selecting courses to ensure courses are taken that cover material the employee deals with or is likely to deal with, and that expand the individual’s knowledge and abilities. Individuals are encouraged to discuss course selection with an Environmental Professionals to assist in tailoring training to the particular issues likely found in the field. Appendix B contains a listing of courses that may be applicable to Pre-Acquisition Environmental Site Assessments.

RESPONSIBLE CHARGE OF ASSISTANTS

Not all aspects of the Pre-acquisition Environmental Site Assessment must be conducted by an individual meeting the regulatory definition of Environmental Professional. The regulation allows for participation of individuals who do not qualify as Environmental Professionals as long as the activities are conducted under the supervision or responsible charge of an Environmental Professional. The preamble discusses a team approach to the preparation of Pre-acquisition Environmental Site Assessments. At least one member of the team should qualify under the regulation as an Environmental Professional. Teams should be composed of individuals possessing qualifications and experience suitable for a particular area or property type, or familiarity with the kinds of concerns that should be evaluated. One person typically does not possess all the needed experience required to prepare the Pre-acquisition Environmental Site Assessments. The team is usually multi-disciplinary and may include realty specialists, environmental compliance specialists, geologists, biologists, environmental engineers, and archeologists. The skills of a particular team, however, should vary with the nature and history of the site. Tasks associated with a Pre-acquisition Environmental Site Assessment must be done by the Environmental Professional or by an individual or individuals under the responsible charge of the Environmental Professional.

§312.10(b)(5):

A person who does not qualify as an environmental professional under the foregoing definition may assist in the conduct of all appropriate inquiries in accordance with this part if such person is under the supervision or responsible charge of a person meeting the definition of an environmental professional provided above when conducting such activities.

As a test to evaluate whether an Environmental Professional is in responsible charge the following should be considered. An Environmental Professional who signs and makes recommendations regarding the environmental condition of property must be capable of answering questions as to the Pre-acquisition Environmental Site Assessment decisions made during the work on the project in sufficient detail as to leave little doubt as to the Environmental Professional's proficiency for the work performed. It is not necessary to defend decisions as in an adversary situation, only to demonstrate that the Environmental Professional in responsible charge possessed sufficient knowledge of the project to make decisions. Examples of questions to be answered by the Environmental Professional could relate to scope of work, methods of analysis, selection of materials and systems, economics of alternate solutions, and environmental considerations. The Environmental Professional should be able to clearly define the degree of control, how it was exercised, and be able to demonstrate that other individuals involved in the conduct of the work were answerable within said degree of control necessary for the Pre-acquisition Environmental Site Assessment work performed. In order to be considered under the responsible charge of an Environmental Professional, the following requirements must be met:

Individuals assisting the Environmental Professional in the conduct of a Pre-acquisition Environmental Site Assessment shall be under the responsible charge of the Environmental Professional. Under the responsible charge of the Environmental Professional refers to the degree of direct control an Environmental Professional must maintain over the Pre-acquisition Environmental Site Assessment decisions made personally or by others over which the Environmental Professional exercises supervisory direction and control authority for that Pre-acquisition Environmental Site Assessment.

A. Responsible Charge Requirements:

1. Project oversight, control, and direction of the work.

(a) Oversight

- (i) Responsible charge does not require the Environmental Professional to be the direct supervisor of the individual, but does mean direct oversight, direction and control over the scope, performance and ultimate quality of the work performed.
- (ii) For Pre-acquisition Environmental Site Assessments that are contracted out [needs additional text.....](#)
- (iii) Review and approve scope of the Pre-acquisition Environmental Site Assessment.
- (iv) Authority to require changes to the work and direct the manner and methods by which the work is performed, or the scope of involvement by the individual even over the individual's objections without negative impact on the Environmental Professional's job status, advancement or compensation.

(b) Control - The degree of control and direction necessary for an Environmental Professional to be in responsible charge shall be such that the Environmental Professional:

- (i) Is familiar with the capabilities and methods of the individual performing the work and ensures that the individual has adequate training to perform

the tasks. The Environmental Professional can also provide guidance and oversight related to the application of training.

- (ii) Personally makes decisions during the performance of the Pre-acquisition Environmental Site Assessment and personally reviews, approves, and signs alternatives.
- (iii) Shall be physically present or available to the individual performing the work through the use of communication devices.
- (iv) Judges the validity and applicability of recommendations, and the qualifications of those making the recommendations, prior to their incorporation into the work.
- (v) Actively involved from start to finish as the individual(s) perform(s) the work.

B. An Environmental Professional who adopts, signs, and states an opinion of work previously done by others shall perform sufficient review to ensure that all standards of practice are met, including satisfying the relevant criteria stated in paragraphs (a) and (b) above, and shall take professional and legal responsibility for documents signed under his/her responsible charge.

C. The Pre-acquisition Environmental Site Assessment is a representation of the known and identifiable facts regarding the property at the time the report is prepared and is only one piece of the materials provided to real property acquisition officials for use in the decision-making process.

**APPENDIX A: EPA FACTSHEET - COMPARISON OF THE FINAL ALL
APPROPRIATE INQUIRIES STANDARD AND THE ASTM E1527-00
ENVIRONMENTAL SITE ASSESSMENT STANDARD (EPA-560-F-05-242)**

APPENDIX B: TRAINING RELEVANT TO CONDUCTING ENVIRONMENTAL SITE ASSESSMENTS

U.S. Fish and Wildlife Service courses, offered through the National Conservation Training Center, that could, in part, qualify as “relevant experience” for an Environmental Professional:

- Environmental Contaminants Field and Laboratory Techniques (ECS3101)
- Pesticides and Fish and Wildlife Resources (ECS3119)
- Environmental Investigations (ECS3125)
- Principles of Environmental Toxicology (ECS3126)
- Oil and Chemical Spill Response (ECS3129)
- Natural Resource Damage Assessment and Restoration (NRDAR) (ECS3133)
- Advanced NRDAR Workshop (ECS3133)
- Ecological Risk Assessment (ECS3135)
- Implementing an Environmental Management System (EMS) to improve Environmental Stewardship (ECS3156)
- Management of Oil & Gas Activities on National Wildlife Refuge System Lands (ECS3158)
- Investigating Fish Kills (FIS2230)
- Land Environmental Site Assessment – Level 1 Procedures (TECS7174)
- RCRA Waste Management Regulations Course
- Air Quality at FWS Refuges (WLD2132)

Bureau of Land Management courses, offered through the National Training Center, that could, in part, qualify as “relevant experience” for an Environmental Professional:

- Hazardous Materials Management – The Basics (1703-00)
- Introduction to Environmental Compliance and Pollution Prevention (1703-01)
- Emergency Response/Removal Actions and Emergency Preparedness (1703-02/1703-02SS)
- Environmental Site Characterization (1703-03)
- CERCLA Site Assessment (1703-09)
- Environmental Site Assessment (1703-13)
- Characterization of Abandoned Mine Land (1703-14)
- Principles of Environmental Sampling (1703-15)
- Non-Point Source Pollution (1703-16)
- Reclamation Caps and Covers (1703-17)
- Hazmat Awareness Train-the-Trainer (1703-21)
- Reclamation (3700-05)
- Ground Water Hydrology (3700-08)
- Underground Mine Safety for Abandoned Mine Land (3900-02)

EPA/OSHA courses that could, in part, qualify as “relevant experience” for an Environmental Professional:

- EPA/OSHA 40 Hr. Hazardous Waste Operations (HAZWOPER) Course
- Annual 8 Hr Refresher Course

APPENDIX C: ENVIRONMENTAL PROFESSIONAL/RELEVANT EXPERIENCE/TRAINING QUESTIONNAIRE

The purpose of this questionnaire is to use the information provided to determine if the individual completing the questionnaire meets the definition of *environmental professional* as defined in 40 CFR Part 312.10. Please note that the definition of *environmental professional* is only applicable to the requirements of 40 CFR 312 for the preparation of All Appropriate Inquiries prior to acquisition of real property. This is a multi-part questionnaire.

Part A: To be completed by the individual.

Part B: To be completed by XXXXX (Field/Regional office)

Part C: To be completed by XXXXXX (HQ office)

Part A To be completed by the individual:

Name: _____

Office: _____

Title: _____

Phone Number: _____

E Mail Address: _____

Date: _____

Licensing, Registration, Certification, and/or Education (Refer to page 3 of the Guidance for Federal Land Managers on the Implementation of EPA's All Appropriate Inquiries Regulation)

1. Do you hold a current Professional Engineer's or Professional Geologist's license or registration from a state, tribe, or U.S. Territory: If Yes, describe: Yes No

2. Are you licensed or certified by the federal government, a state, or U.S. Territory to perform environmental inquiries as defined in § 312.21: If Yes, describe: Yes No

3. Do you have a Baccalaureate or higher degree from an accredited Institution of higher education in a discipline of engineering or science: If Yes, describe: Yes No

4. None of the above:

5. Comments:

Relevant Experience (Refer to page 4 of the Guidance for Federal Land Managers on the Implementation of EPA's All Appropriate Inquiries Regulation)

1. Years spent participating in environmental site assessments. Estimate the percentage of time spent each year: _____ to _____ %

2. Phase I and Phase II Environmental Site Assessment experience:
Years of experience: _____
Property Types _____

3. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Preliminary Assessment and Site Inspection experience:
Years of experience: _____
Property Types _____

4. Other environmental experience that mirrors the underlying processes of conducting environmental site assessments:
Years of experience: _____
Property Types _____

5. _____ I believe _____ I do not believe I meet the requirements for "environmental professional" as defined at 40 CFR 312.10.

6. Other:

Signature: _____ Date: _____

PART B To be completed by XXXXXX (Field/Regional Office)

Comments:

- I have reviewed Part A and have nothing to add.
- I have reviewed Part A and would like to add the following:
 ___ I believe ___ I do not believe this individual meets the requirements for
 environmental professional found at 40 CFR 312.10.

Name: _____ Office: _____
 Title: _____ Phone Number: _____
 E Mail Address: _____ Date: _____

PART C To be completed by (HQ Office)

Review of Part A and B

Qualified as an environmental professional:

- current professional Engineer's or Professional Geologist's license or registration from a state, tribe, or U.S. Territory **and** has the equivalent of three (3) years of full time experience.
- licensed or certified by the federal government, a state, or U.S. Territory to perform environmental inquiries as defined in § 312.21 **and** has the equivalent of three (3) years of full time experience.
- Baccalaureate or higher degree from an accredited Institution of engineering or science **and** has the equivalent of five (5) years of full time experience.
- has** the equivalent of ten (10) years of full time experience.

Not qualified as an environmental professional for the following reason(s):

Comments:

Name: _____ Office: _____
 Title: _____ Phone Number: _____
 E Mail Address: _____ Date: _____

APPENDIX D: LAND ACQUISITION SCREENING PROCESS WORKSHEETS

The land acquisition screening process is required for all proposed real property acquisitions and is used to determine whether there may be any hazardous substances or other environmental problems on the real property. The purpose of the process is to help ensure that federal agencies do not unknowingly acquire contaminated property and to limit exposure to environmental liability.

Below is a suggested sequential approach for completing the worksheets:

1. Worksheet 1: Records Search. Review maps, photos, and records
2. Worksheet 2: Questionnaire for Interview. Conduct interviews of individuals familiar with the property and its history
3. Worksheet 3: Site Visit Survey. Visit site and inspect thoroughly

The worksheets are intended to assist with completion of the land acquisition screening process. They are useful guides, but are not all inclusive, and alone do not meet all the requirements for the CERCLA defenses. Not all questions may be applicable for the property. All questions noted as incomplete data gaps, or not applicable, must be documented with an explanation for inclusion in the report.

All Appropriate Inquiry - Land Acquisition Screening Worksheet 1: RECORDS SEARCH

This worksheet is intended to assist with completion of the "Records Search" portion of the All Appropriate Inquiry land acquisition screening. While it is intended as a useful guide, it is not all inclusive and does not meet all the requirements for the CERCLA defenses.

I. Gathering Existent Records.

1. The AAI rule calls for a review of historical sources to determine previous uses and occupancies of the real property since the property was first developed such as the following sources. If "not available" explain in Question #3:

- a. Site Description (address, site map, property boundaries, contact information) Not Available _____ Attached _____
- b. Chain of Title Documents (i.e. deeds, deed restrictions, liens, institutional and/or engineering controls, and other documentation of ownership) Not Available _____ Attached _____
- c. Aerial Photographs Not Available _____ Attached _____
- d. Building Department Records Not Available _____ Attached _____
- e. Land Use Records Not Available _____ Attached _____
- f. Sanborn Fire Insurance Maps Not Available _____ Attached _____
- g. Topographic Maps Not Available _____ Attached _____
- h. Local Fire Department Records Not Available _____ Attached _____
- i. Easements Not Available _____ Attached _____
- j. Leases (attach copies of contract(s)) Not Available _____ Attached _____
- k. Concessions (attach copies of contract(s)) Not Available _____ Attached _____
- l. Well Permits Not Available _____ Attached _____
- m. Oil Records Not Available _____ Attached _____
- n. Gas Records Not Available _____ Attached _____
- o. Other Mineral Records Not Available _____ Attached _____
- p. Waste Water Permits Not Available _____ Attached _____
- q. Lead Based Paint Survey Records Not Available _____ Attached _____
- r. Asbestos Survey Records Not Available _____ Attached _____
- s. Polychlorinated Biphenyls (PCBs) Survey Records Not Available _____ Attached _____
- t. Drinking Water Systems Not Available _____ Attached _____

Note: Historical documents and records reviewed must cover a period of time as far back in the history of the subject property as it can be shown that the property contained structures or from the time the property was first used for residential, agricultural, commercial, industrial, or governmental purposes.

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2. The AAI rule calls for a review of Federal, State, Tribal and local government records. Is the property listed under any of the categories below? If yes, attach documentation. If no, explain in Question #3.

Many of these databases may be queried through EPA's Environfacts website at <http://www.epa.gov/enviro/>

- | | | |
|--|-----------------------------|-----------------------------------|
| a. CERCLA Information System (CERCLIS) or Docket List | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| b. Critical Habitat | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| c. DOT Hazardous Materials Information Reporting System (HMIRS) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| d. EPA Aerometric Information Retrieval System (AIRS) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| e. EPA Emergency Response Notification System (ERNS) Database | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| f. EPA FIFRA/TSCA Tracking System (FTTS) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| g. EPA National Priorities List (NPL) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| h. EPA No Further Remedial Action Planned (NFRAP) Database | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| i. EPA NPDES | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| j. EPA PCB Activity Database (PADs) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| k. EPA PCB Transformer Registration Database | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| l. EPA Permit Compliance System (PCS) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| m. EPA RCRA Corrective Action Report (CORRACTS) Database | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| n. EPA RCRA Information System (RCRIS) Database | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| o. EPA Safe Drinking Water Information System (SDWIS) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| p. EPA Toxics Release Inventory (TRI) Database | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| q. EPA/State Resource Conservation and Recovery Act (RCRA), treatment, storage, or disposal (TSD) facility | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| r. Federal Emergency Management Agency (FEMA) Flood Map | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| s. Federal/State Permitted and Closed Solid Waste-Facilities | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| t. Local Zoning/Land Use Records | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| u. State environmental agency equivalent of an NPL site or a CERCLIS site | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| v. State Leaking Underground Storage Tanks (LUSTs) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| w. State Registered Aboveground Storage Tanks (ASTs) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| x. State Registered Underground Storage Tanks (USTs) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| y. State/local Environmental Lien/Deed & Land Use Restriction Records | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| z. State/local Hazardous Materials Management Records (Business Plan, Contingency Plan, etc.) | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| aa. Waste Water Systems | No <input type="checkbox"/> | Attached <input type="checkbox"/> |
| bb. Wetlands Inventory | No <input type="checkbox"/> | Attached <input type="checkbox"/> |

II. Records Review (Subject Property). The purpose of the records review is to obtain and review records and is intended to result in the identification of conditions indicative of releases and threatened releases of hazardous substances on, at, in, or to the subject property. This sections aids in beginning to develop a chronology of the site use/s.

A. Property Use/s

1. Is there any information in the chain of title that indicates commercial or industrial use of the property? If yes, describe current and previous property use and provide information sources (for example, Title insurance company, abstract company, county deed records).
Yes ___ No ___

2. Are there other records indicating commercial or industrial activities on the property, for example: warehouses, vehicle maintenance, mixing, handling, or disposal of chemicals, paints, pesticides, petroleum products or wastes? If yes, describe site activities and document and provide information sources (for example records, aerial photos and maps). Identify the location/s on the property where the activities occurred and the timeframe when they occurred. Yes ___ No ___

3. Are there any records indicating current or previous agricultural use (i.e. pesticide use, drainage history, surface and/or subsurface drains, livestock, nurseries, crops, livestock dip tanks, etc.)? If yes, describe the agricultural use and identify when the use occurred and where on the property. Provide information sources (for example records, aerial photos and maps). Yes ___ No ___

4. Have there been any special use permits, leases, Plans of Operation, or concessionaire activities, including but not limited to: rights-of-way, easements, mining, landfills, solid waste transfer facilities, log transfer facilities, small arms ranges, silviculture, lodges, resorts, or campgrounds, associated with the property? If yes, describe the permitted activities and provide information sources (for example permits, records, aerial photos and maps). Yes ___ No ___

B. Hazardous Substances

1. Is there any record of hazardous substances or petroleum products being stored, released, or disposed of on the property (for example, State and EPA hazardous site lists)? If yes, attach a list describing the type(s), quantities involved, approximate location/s and dates. Yes ___ No ___

2. Has an environmental investigation of the property ever been conducted? Yes ___ No ___ (If yes, answer the following questions)

Indicated the release of hazardous substances, petroleum products, or other potential environmental problems on the property? If yes, describe the nature and location/s of the release and the quantities and types of hazardous substances. Yes ___ No ___ Not Applicable ___

Recommended further assessment of the property? If yes, explain and provide the information sources (for example, State hazardous site lists, acquisition files). Yes ___ No ___ Not Applicable ___

3. If an environmental investigation identified contamination of the property, is there information indicating that response actions have remained uninitiated or been ineffective in reducing or eliminating the contamination? Explain and provide information sources (for example, State hazardous site data). Yes ___ No ___ Not Applicable ___

If yes, has any response action been taken? Describe the response actions taken, who conducted them and who was the lead regulatory agency overseeing the response action.

If no, is there a cost estimate for the response actions?

Has remediation been completed? If yes, indicate if a no-further action (NFA) determination has been issued by the lead regulatory agency. Also indicate if contamination still remains. Provide supporting documentation.

If remediation is completed, are there any institutional controls/land use restrictions in place or long term monitoring and maintenance requirements? If yes, describe and provide supporting documentation, including costs and durations for monitoring and operations and maintenance.

4. If acquiring land from another Federal agency, has the disposing agency notified the acquiring agency of the past or current presence of any hazardous substance, **used and stored**, at the property? If yes, describe the location/s, types and qualities of the hazardous substances and the timeframes for use and storage. Provide supporting documentation. Yes ___ No ___ Not Applicable ___

5. If acquiring land from another Federal agency, has the disposing agency notified the acquiring agency of the past or current presence of any hazardous substance **release or disposal** at the property? If yes, describe the date, location/s, types and qualities of the hazardous substances release and/or disposal. Provide supporting documentation. Yes ___ No ___ Not Applicable ___

6. Are there any records that indicate the past or present existence of transformers, capacitors, or hydraulic equipment containing Polychlorinated Biphenyls (PCBs) ; use, storage or disposal of PCB-containing equipment; or contaminated soils? If yes, indicate date of manufacture, size, location/s, owner, etc., and provide information sources (for example, EPA PCB Activity Database, local electric utility). Yes ___ No ___

C. Water and Wastewater

1. Are there any records indicating operating or abandoned water wells on the property? If yes, indicate location/s, date constructed, well construction details, capacity, etc.. If the well was abandoned, indicate if it was done so in accordance with applicable regulatory standards and provide data of abandonment. Provide information sources (for example, State water well registry).
Yes ___ No ___ Not Applicable ___

2. Are there any records indicating the presence of a drinking water system on the property? If yes, describe the water system (location/s, size, age of the system, etc.). Yes ___ No ___

3. If the property is served by an on-site water supply well, are there any records indicating if contamination has ever been identified in the well? If yes, identify the contaminants, timeframe when contamination was detected, and contaminant levels. Also indicate the source of the contamination and any mitigation measure implemented. Provide information sources (for example, State water well registry, water quality data). Yes ___ No ___ Not Applicable ___

4. Are there any records indicating the presence of an on-site waste water disposal system, including septic systems? If yes, describe the system and provide age and location/s. Provide information sources Yes ___ No ___

D. Compliance and Permits

Attach documentation if information is found. If information is **not** found, list resources that were checked, include the location, contact name and phone number.

1. Are there any permits or plans related to activities such air or water discharges; mining; oil or gas exploration or development; hazardous substance use or storage; or solid or hazardous waste treatment, storage, or disposal? If yes, describe the location/s, types of discharges/materials, timeframe of activities, etc and identify information sources. Yes ___ No ___

2. Have there been any compliance or environmental notices issued? If yes, explain and provide information sources (for example, State hazardous substances office, EPA Region). Yes ___ No ___

3. Is there any information indicating recurrent violations of environmental laws with respect to the property and current and past on-site operations and activities? If yes, describe the violations and when they occurred and provide sources. Yes ___ No ___

4. Is there any information indicating an environmental lien against the property? If yes, describe the lien and its impact on property use and provide sources (for example, County deed records and court judgments). Yes ___ No ___

5. Is there evidence of any past, threatened, or pending lawsuits, administrative or judicial proceedings, consent agreements or related actions concerning a release or threatened release of any hazardous substance or petroleum product involving the property by any current or previous owner or occupant of the property? If yes, explain and provide sources. Yes ___ No ___

6. Have there ever been any registered/unregistered storage tanks (above or underground) located on the property, particularly for storage of hazardous substances or petroleum products? If yes, describe and list location/s, material stored, date of installation, date of removal, federal/state identification number and provide information sources (for example, State UST and LUST records, aerial photos and maps).

Yes ___ No ___

7. Have there ever been any registered or unregistered non-water supply wells (i.e. underground injection, monitoring, oil and gas)

Yes ___ No ___

E. Other

1. Have there been any public complaints about the property regarding dumping, burning, or odors? If yes, explain and provide information sources (for example, State hazardous substance sites list)? If no, list resources that were checked, include the location and contact name and phone number. Yes ___ No ___

IV. Records Review (Adjacent & Surrounding Properties)

1. The AAI rule calls for a review of Federal, State, and local government records. Is the adjacent property listed under any of the categories below? If yes, attach documentation. If no, explain in Question #3.

- | | |
|--|-------------------------|
| a. CERCLA Information System (CERCLIS) or Docket List | No _____ Attached _____ |
| b. Critical Habitat | No _____ Attached _____ |
| c. EPA Aerometric Information Retrieval System (AIRS) | No _____ Attached _____ |
| d. EPA Corrective Action Report (CORRACTS) Database | No _____ Attached _____ |
| e. EPA Emergency Response Notification System (ERNS) Database | No _____ Attached _____ |
| f. EPA FIFRA/TSCA Tracking System (FTTS) | No _____ Attached _____ |
| g. EPA National Priorities List (NPL) | No _____ Attached _____ |
| h. EPA No Further Remedial Action Planned (NFRAP) Database | No _____ Attached _____ |
| i. EPA NPDES | No _____ Attached _____ |
| j. EPA PCB Activity Database (PADs) | No _____ Attached _____ |
| k. EPA RCRA Information System (RCRIS) Database | No _____ Attached _____ |
| l. EPA Safe Drinking Water Information System (SDWIS) | No _____ Attached _____ |
| m. EPA Toxics Release Inventory (TRI) Database | No _____ Attached _____ |
| n. EPA/State RCRA, treatment, storage, or disposal (TSD) facility | No _____ Attached _____ |
| o. Federal, State, Tribal Permitted and Closed Solid Waste Landfill or Management Facilities | No _____ Attached _____ |
| p. FEMA Flood Map | No _____ Attached _____ |
| q. Local Zoning/Land Use Records | No _____ Attached _____ |
| r. Oil, gas or other mineral records | No _____ Attached _____ |
| s. State environmental agency equivalent of an NPL site or a CERCLIS site | No _____ Attached _____ |
| t. State Leaking Underground and Aboveground Storage Tanks (LUSTs) | No _____ Attached _____ |
| u. State Registered Aboveground and Underground Storage Tanks (ASTs & USTs) | No _____ Attached _____ |
| v. State/Local Environmental Lien/Deed & Land Use Restriction Records | No _____ Attached _____ |
| w. Waste Water Systems | No _____ Attached _____ |
| x. Wetlands Inventory | No _____ Attached _____ |

2. The AAI rule calls for a review of Federal, State, and local government records of the surrounding properties and specifies a minimum search distance on some records. Are the surrounding properties listed under any of the categories below within the specified search radius? If yes, attach documentation. If no, explain in Question #3.

Records / Sources	Minimum Search Distance miles (kilometres)	No _____ Attached _____
a. Federal NPL Site Database	1.0 (1.6)	No _____ Attached _____
b. State- and Tribal-Equivalent NPL Sites	1.0 (1.6)	No _____ Attached _____
c. EPA Deleted NPL Site List	0.5 (0.8)	No _____ Attached _____
d. Former CERCLIS Sites w/No Further Remedial Action Planned	0.5 (0.8)	No _____ Attached _____
e. EPA RCRA CORRACTS Facilities List	1.0 (1.6)	No _____ Attached _____
f. Registries or Publicly Available Lists of Engineering Controls	0.5 (0.8)	No _____ Attached _____
g. Federal, State, Tribal Permitted and Closed Solid Waste Landfill or Management Facilities	0.5 (0.8)	No _____ Attached _____
h. Federally/State-Registered, or State-Permitted, Hazardous Waste Sites Identified for Investigation or Remediation	0.5 (0.8)	No _____ Attached _____
i. EPA RCRA non-CORRACTS TSD Facilities List	0.5 (0.8)	No _____ Attached _____
ii. State- and tribal-equivalent CERCLIS	0.5 (0.8)	No _____ Attached _____
iii. EPA CERCLIS List	0.5 (0.8)	No _____ Attached _____
iv. Federal, State, Tribal Leaking Underground Storage Tank	0.5 (0.8)	No _____ Attached _____
v. State and Tribal Voluntary Cleanup Sites	0.5 (0.8)	No _____ Attached _____
vi. State and Tribal Brownfield Sites	0.5 (0.8)	No _____ Attached _____

3. What resources were used in attempts to find records that could not be found? List information sources, locations where they are found and date the resource was used.

4. Any other relevant records provided by owner/s, other?

No _____ Attached _____

5. On the basis of a review of available records is there any indication of the release or threatened release of hazardous substances at/on adjacent and nearby properties? Properties considered to be "nearby" may vary depending on the area's geology, topography, threat, etc. If yes, describe the release or threatened release and provide the location/s and relative distance to the property, indicate whether it is up stream or up gradient of the property, identify the types and quantities of hazardous substances, and dates. Provide information sources (for example, Local fire department, and environmental data base search services). Yes ___ No ___

If yes, has the release or threatened release been mitigated? If yes, describe the mitigation and identify the regulatory agency who oversaw the mitigation measures and provide the sources of the information. Yes ___ No ___ Not Applicable ___

If yes, is there contamination present or residual contamination present on adjacent and/or nearby properties which poses a threat or may pose a future threat to the property? If yes, describe the threat or potential threat and provide the sources of the information. Yes ___ No ___ Not Applicable ___

6. Are there other nearby land uses or activities, especially upstream or up gradient that might have had a legal or illegal waste or dump site? For example, are there upstream or up gradient active or abandoned mine sites which may impact or threaten the property. Properties considered to be "nearby" may vary depending on the area's geology, topography, threat, etc. If yes, describe the land use or activity, the distance to the property, and the potential threat. Provide the sources of information. Yes ___ No ___

Name, title, and signature of person conducting records review: _____

Date(s) of Searches _____

INTERIM - 2 October 2006

All Appropriate Inquiry - Land Acquisition Screening

Worksheet 2: INTERVIEWS WITH PAST and PRESENT OWNERS, OPERATORS, and OCCUPANTS

This worksheet is intended to assist with completion of the “Interview” portion of the All Appropriate Inquiry land acquisition screening. While it is intended as a useful guide, it is not all inclusive and does not meet all the requirements for CERCLA defenses.

The AAI rule requires that interviews be conducted of the current owner and occupant of the subject property. If the property has multiple occupants, the inquiry of the environmental professional shall include interviewing major occupants, as well as those occupants likely to use, store, treat, handle or dispose of hazardous substances, pollutants, contaminants, petroleum and petroleum products, and controlled substances, or those who have likely done so in the past. This includes interviewing one or more of the following persons:

- Current and past facility managers with relevant knowledge of uses and physical characteristics of the property;
- Past owners, occupants, or operators of the subject property; or
- Employees of current and past occupants of the subject property.

In the case of inquiries conducted at “abandoned properties,” where there is evidence of potential unauthorized uses of the subject property or evidence of uncontrolled access to the subject property, the inquiry must include interviewing one or more (as necessary) owners or occupants of neighboring or nearby properties from which it appears possible to have observed uses of, or releases at, such abandoned properties

(Separate questionnaires must be completed for each property)

Name of person being interviewed: _____ Phone number: _____

Affiliation with Property: _____

(Owner/operator/caretaker/previous owner/neighbor, etc.)

Time frame affiliated with Property: _____

“To the Best of Your Knowledge...”

A. Property Use/s

1. Do you possess or know of the existence of any of the following records related to the property? If yes, please provide copies or make them available. Yes ___ No ___ Unknown ___

- a. Radon, Asbestos and/or Lead-Based Paint Surveys No ___ Copy/s Attached ___ No copy avail. ___
- b. Environmental Compliance Audit Reports No ___ Copy/s Attached ___ No copy avail. ___
- c. Environmental Permits Related to Current or Previous Site Activities (example, waste disposal permits, wastewater permits, NPDES permits) No ___ Copy/s Attached ___ No copy avail. ___
- d. Registrations for underground and above-ground storage tanks. No ___ Copy/s Attached ___ No copy avail. ___
- e. Hazardous Materials Management Plans (Emergency Planning and Community Right-To-Know Act (EPCRA)) No ___ Copy/s Attached ___ No copy avail. ___
- f. Facility safety plans No ___ Copy/s Attached ___ No copy avail. ___
- g. Preparedness and prevention plans No ___ Copy/s Attached ___ No copy avail. ___
- h. Spill Prevention, Control, and Countermeasure (SPCC) plans No ___ Copy/s Attached ___ No copy avail. ___
- i. Hydrogeologic and geotechnical reports on the property or surrounding area. No ___ Copy/s Attached ___ No copy avail. ___
- j. Notices or other correspondence from any government agency relating to past or current violations of environmental laws with respect to the property. No ___ Copy/s Attached ___ No copy avail. ___
- k. Notices or other correspondence from any government agency relating to environmental liens encumbering the property. No ___ Copy/s Attached ___ No copy avail. ___
- l. Hazardous waste generator notices or reports. No ___ Copy/s Attached ___ No copy avail. ___
- m. Risk assessments No ___ Copy/s Attached ___ No copy avail. ___
- n. Recorded deed or environmental land use restrictions No ___ Copy/s Attached ___ No copy avail. ___
- o. Other environmental studies or investigations No ___ Copy/s Attached ___ No copy avail. ___

2. Is the property currently or was previously used for an industrial, commercial use (i.e. official and unofficial shooting ranges, processing, handling, management, disposal, storage, manufacture, or transportation of hazardous substances or petroleum products, such as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, methamphetamine lab, junkyard, boneyard, or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility). If yes, describe the activities and provide the time frame, types, location/s and quantities of hazardous substance use and/or storage. Yes ___ No ___ Unknown ___

3. Has there been any past, present, or permitted or planned mining activity or oil and gas exploration/development present on the property? If yes, describe the activities and provide the time frame, location/s and scope of operations. Yes ___ No ___ Unknown ___

4. Has the property ever been used for agricultural, livestock, crop purposes? If yes, describe the operations and indicate the location/s and time frames involved. Yes ___ No ___ Unknown ___

If yes, was hazardous substance use and/or storage involved in the operations (for example, pesticide/herbicide use, cattle dip vats). If yes, describe and provide location/s and the type, quantity, duration of use and management practices. Yes ___ No ___ Unknown ___

6. Other Questions as necessary based on the records review:

B. Hazardous Materials & Substances

1. Do the **current** operations at/on the property involve the use and storage of hazardous materials and substances. If yes, please describe the operations and indicate the location/s, type and quantities of materials used. Describe the storage location/s and if any chemical mixing (for example, pesticide mixing and loading areas) operations occur. Discuss any use, storage, mixing, or disposal of chemicals, automotive or industrial batteries, pesticides (e.g., insecticides, herbicides, fungicides) paints, solvents, or other, on fence lines, right of ways, or other structures such as airstrips, heliports, crop duster operations, etc. Yes ___ No ___ Unknown ___

If yes, has there been a spill or release of hazardous substances, petroleum products, or other potential environmental problems on the property associated with **current** operations? If yes, describe the nature and location/s of the release and the quantities and types of hazardous substances. This includes staining or soils and floors in areas utilized for the use and storage of hazardous materials.

Yes ___ No ___ Unknown ___

If a spill or release of hazardous substances or petroleum products had occurred, was it reported to the National Response Center or a local or State emergency response authority? If yes, identify the agency. Yes ___ No ___ N/A ___ Unknown ___

If a spill or release of hazardous substances or petroleum products has occurred, has the release been mitigated? If yes, describe the mitigation, identify the regulatory agency who oversaw the mitigation and indicate if a no-further action (NFA) determination has been issued by the lead regulatory agency. Yes ___ No ___ N/A ___ Unknown ___

If remediation is completed, is there contamination or residual contamination present? If yes, are there any institutional controls/land use restrictions in place or long term monitoring and maintenance requirements? Yes ___ No ___ N/A ___ Unknown ___

2. Are there any **past operations** at the property that involved the use and storage of hazardous materials and substances? If yes, describe the operations and the location/s, types and quantities. Yes ___ No ___ Unknown ___

If yes, has there been a spill or release of hazardous substances, petroleum products, or other potential environmental problems on the property associated with **past operations** or tenants? If yes, describe the nature and location/s of the release and the quantities and types of hazardous substances. Yes ___ No ___ N/A ___ Unknown ___

If a spill or release of hazardous substances or petroleum products had occurred, was it reported to the National Response Center or a local or State emergency response authority? If yes, identify the agency. Yes ___ No ___ N/A ___ Unknown ___

If a release of hazardous substances or petroleum products had occurred, was the release been mitigated? If yes, describe the mitigation, identify the regulatory agency who oversaw the mitigation and indicate if a no-further action (NFA) determination was been issued by the lead regulatory agency. Yes ___ No ___ N/A ___ Unknown ___

If remediation is completed, is there still contamination or residual contamination present? If yes, are there any institutional controls/land use restrictions in place or long term monitoring and maintenance requirements? Yes ___ No ___ N/A ___ Unknown ___

3. Are there or have there ever been any easements, rights-of-way, pipelines, utility lines, railways, entry/exit ports and associated structures, either buried or overhead, crossing the property,? If yes, please describe and indicate the location/s, approximate date when constructed and the identification of the owner. Yes ___ No ___ Unknown ___

If yes, are you aware of any spills or releases associated with them? If yes, please describe the spills and/or releases and indicate the date, type and quantities of materials involved. Yes ___ No ___ Unknown ___

If a spill or release has occurred, are you aware if the release has been mitigated? If yes, please indicate who conducted the mitigation and identify the regulatory agency who oversaw the mitigation. If known, indicate if a no-further action (NFA) determination was been issued by the lead regulatory agency. Yes ___ No ___ N/A ___ Unknown ___

If remediation is completed, are you aware if there is still contamination or residual contamination present? If yes, are there any institutional controls/land use restrictions in place or long term monitoring and maintenance requirements? Yes ___ No ___ N/A ___ Unknown ___

4. Are you aware if the site topography has been altered and/or if there are any unnatural topographic features present on the property? If yes, please describe the topographic alterations and/or unnatural features. Indicate their location/s on the property and if known when the alterations occurred and by whom. Yes ___ No ___ Unknown ___

5. Has fill material ever been brought onto the property that originated from a contaminated site or that was of an unknown origin? If yes, describe the date and quantity of material brought to the property, indicate when on the property the material was placed.

Yes ___ No ___ Unknown ___

If fill material came from a contaminated site, identify the contaminated site of origin of the material and describe the contamination present.

6. Is there any evidence of waste materials currently or previously being dumped above grade, buried, and/or burned on the property (i.e. hazardous materials, petroleum products, labeled/unlabeled drums or containers, pesticide containers, household and farm debris, automotive or industrial batteries, building demolition debris, or any other waste materials)? Yes ___ No ___ Unknown ___

7. Are there any floor drains in of the on-site structures and/or areas where hazardous materials (used oil, antifreeze, solvents, pesticides) are used and/or stored or have been used and/or stored in the past? If yes, indicate the location/s of the structures and the types, quantities and time frames related to the associated hazardous materials use and/or storage. For each area/structure also indicate where the floor drains discharge.

Yes ___ No ___ Unknown ___

8. Are there any chemical stains present on the walls, floors and/or ceilings of the on-site areas and structures where hazardous materials are/have been used and/or stored? If yes, indicate which areas/structures have chemical staining. Yes ___ No ___ Unknown ___

9. Are there or have there been any floors, drains, walls, or ceilings stained by substances other than water or that are emitting foul and/or unnatural odors (i.e. mold, mildew, other)? If yes, describe the location/s and the site operations that occur and have occurred in the past. Yes ___ No ___ Unknown ___

10. Are there electrical transmission lines, transformers, capacitors, lighting ballast, or hydraulic equipment (i.e., elevators, presses, lifts, doors, etc.) present on the property? If yes, identify the location/s and approximate age of the equipment. Yes ___ No ___ Unknown ___

If electrical transmission lines, transformers, capacitors, lighting ballast, or hydraulic equipment are present, has testing been conducted to determine the presence of polychlorinated biphenyls (PCB's) present or have PCB's ever been present in on-site equipment? If yes, indicate the location/s and type of equipment and dates. Yes ___ No ___ Unknown ___

If PCBs are or have been present, are you aware of any release of PCBs that has occurred? If yes, describe the release and indicate the date, location/s and whether the release was mitigated. Yes ___ No ___ N/A___ Unknown ___

11. Is there or has there previously been any mercury containing equipment (i.e. switches, thermostats, thermometers, manometers, sink traps, etc) on the property? If yes, indicate the location/s and type of equipment and dates. Yes ___ No ___ Unknown ___

12. Are you aware of any radon, asbestos-containing materials, or lead-based paint on the property? If yes, indicate the type, locations and dates. Yes ___ No ___ Unknown ___

If yes, Have any radon, asbestos-containing materials, or lead-based paint surveys ever been conducted on the property? If yes, indicate whether radon, asbestos-containing materials, or lead-based paint has been identified in any on-site buildings. Identify the dates of the surveys, the structures and the results and condition of the materials? Yes ___ No ___ Unknown ___

13. Are any above-ground or underground storage tanks, including drums or other fuel containers, being or have been used on the property? If yes, identify where on the property the tanks are/were located, when the tanks were installed and the types and quantities of hazardous materials stored. If the tanks were removed indicate when the removal took place and whether a closure certification notice was received by the lead regulatory agency. Yes ___ No ___ Unknown ___

If above-ground or underground storage tanks are or have been used on the property, was there ever a spill or release of hazardous substances associated with the tank system? If yes, indicate the date and nature of the spill or release. Yes ___ No ___ Unknown ___

If a spill or release has occurred related to an on-site tank system, was it mitigated to the satisfaction of the lead regulatory agency? If no, describe further actions that must be undertaken to address the spill or release. Yes ___ No ___ Not Applicable ___ Unknown ___

14. Are you aware of any hazardous substance or pollutant or contaminant spill or release, or other potential environmental problems on any **adjacent or nearby properties**? If yes, please describe (if known) the location/s of the release, the type and quantities of materials involved and the approximate dates. If know, also indicate the owner of the property where the release occurred. Yes ___ No ___ Unknown ___

If there was a release of hazardous substances, petroleum products on any **adjacent or nearby properties** are you aware if the release was mitigated? Yes ___ No ___ Not Applicable ___ Unknown ___

15. Are you aware of contamination present or residual contamination present on **adjacent and/or nearby properties** which poses a threat or may pose a future threat to the property? If yes, describe the threat or potential threat.
Yes ___ No ___ Unknown ___

16. Are you aware of any institutional controls/land use restrictions in place or long term monitoring and maintenance requirements in place on **adjacent or nearby properties** that affect the property? If yes, please describe and identify the adjacent or nearby property and the property owner. Yes ___ No ___ Not Applicable ___ Unknown ___

17. Other Questions as necessary based on the records review:

C. Water and Wastewater

1. Does the property currently or has it ever been supplied by an on-site drinking water supply well? If yes, provide the location/s of the well and date of construction. Yes ___ No ___ Unknown ___

Have contaminants ever been identified in the on-site drinking water well or the water system that exceeded acceptable levels? If yes, describe the contamination and indicate the dates, contaminant levels and the source of the contamination, if known.

Yes ___ No ___ Not Applicable ___ Unknown ___

If an on-site drinking water well is no longer used, has it been properly abandoned in accordance with applicable regulatory requirements. If, yes, indicate the date the well was abandoned. Yes ___ No ___ Not Applicable ___ Unknown ___

2. Does the property currently have or has there ever been an on-site waste water treatment and disposal systems (septic systems, sewage lagoons, etc.). If yes, please provide a description of the system, including the location/s, size, date constructed, and which buildings discharge to the system. Yes ___ No ___ Unknown ___

If the on-site waste water treatment and disposal system is no longer in use has it been closed? If yes, describe method of closure and date closed. Yes ___ No ___ Not Applicable___ Unknown ___

3. Have any monitoring wells been installed on the property? If yes, explain the purpose of the wells and provide the location/s, dates of construction and any analytical results. Yes ___ No ___ Unknown ___

If the monitoring well are no longer in use, have they been properly abandoned in accordance with applicable regulatory requirements. If yes, indicate the date the well/s was abandoned. Yes ___ No ___ Not Applicable___ Unknown ___

4. Is surface water present on the property (i.e. pits, ponds, lagoons, rivers, creeks, oceans, etc.)? If yes, provide a description of the location/s and type of surface water present. Yes ___ No ___ Unknown ___

If surface water is present, are you aware of any unnatural characteristics (i.e., color, sheens, odors, sterile, etc.)? If yes, please describe and indicate whether the situation is new or has been present for an extended period of time.

Yes ___ No ___ Not Applicable___ Unknown ___

5. Is the property or has the property in the past discharged industrial and/or other wastewater (excluding storm water runoff or sanitary wastewater discharges from restrooms, kitchens, or other household-type uses) on or adjacent to the property? If yes, describe the discharge and indicate the location/s and dates. Yes ___ No ___ Unknown ___

6. Other Questions as necessary based on the records review:

D. Compliance/Permits

1. Have there been any environmental permits or licenses issued for current or past operations associated with the property (for example, air quality and water discharge, landfills)? If yes, describe the permitted operations, indicate the permitting agency, date the permit was issued and whether the permit is still effective. Yes ___ No ___ Unknown ___

2. Are you aware of any environmental liens against the property that have been filed or recorded under federal, tribal, state or local law? If yes, describe the lien and indicate the date and effect on the current and future use of the property.

Yes ___ No ___ Unknown ___

3. Are you aware of any activity and land use limitations that are in place on the property or that have been filed or recorded under federal, tribal, state or local law? If yes, describe the land use restrictions and identify when they were issued and by whom.

Yes ___ No ___ Unknown ___

4. Are you aware of any compliance/enforcement notices relating to past or current-violations of environmental laws with respect to the property or any facility on the property? If yes, describe the violations and the dates involved. Yes ___ No ___ Unknown ___

5. Are you aware if any environmental site assessment, or other environmental investigations, of the property, or any other property/site records ever indicated the presence of hazardous substances, petroleum products, or other potential environmental problems on the property. If yes, describe the report and findings. Yes ___ No ___ Unknown ___

6. Are you aware of any environmental site assessment, or other environmental investigations, of the property, or any other property/site records ever recommended further assessment of the property? If yes, identify the report and indicate if the further assessment was performed. Yes ___ No ___ Unknown ___

7. Are you aware of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substances or petroleum products on the real property? If yes, describe and identify when and by whom the legal and/or administrative action was initiated by. Yes ___ No ___ Unknown ___

8. Other Questions as necessary based on the records review:

E. Other

1. Are you aware of the presence of or has there been, any anomalous vegetation (i.e. stressed, dead, etc.) present on the property? If yes, indicate the location/s and approximate dates. Yes ___ No ___ Unknown ___

2. Are you aware of the presence of invasive or non-native plants on the property? If yes, please indicate the location/s and common name if known (e.g., kudzu, phragmites, cheatgrass, etc.), and approximate amount if possible (e.g., approximately half an acre, etc.).

Yes___ No___ Unknown___

If yes, has there been any attempt to remove or eradicate the invasive species? If yes, explain what was attempted and if it was successful? Yes___ No___ Unknown___

Have there been any vegative control programs (i.e. along transmission lines, fence lines, rights-of-ways, pipelines) conducted on the property? If yes, describe the program and types of activities. Yes___ No___ Unknown___

3. If not mentioned above, is there anything else that could indicate the presence of hazardous substances, petroleum products or other environmental conditions that may impact the property? Yes ___ No ___ Unknown ___

Name, Title, and signature of person conducting interview: _____

Date of interview: _____

All Appropriate Inquiry - Land Acquisition Screening
Worksheet 3: SITE VISIT SURVEY-VISUAL ON-SITE INSPECTION OF THE PROPERTY AND OF
ADJOINING PROPERTIES

This worksheet is intended to assist with completion of the “Site Visit Survey” portion of the All Appropriate Inquiry land acquisition screening. The AAI Rule calls for a visual on-site inspection of the subject property and facilities and improvements on the subject property, including a visual inspection of the areas where hazardous substances may be or may have been used, stored, treated, handled, or disposed. This includes a visual inspection of adjoining properties, from the subject property line, public rights-of-way, or other vantage point (e.g., aerial photography), including a visual inspection of areas where hazardous substances may be or may have been stored, treated, handled or disposed. In the unusual circumstance where an on-site visual inspection of the subject property cannot be performed because of physical limitations, remote and inaccessible location/s, or other inability to obtain access to the property, provided good faith (as defined in § 312.10) efforts have been taken to obtain such access, an on-site inspection will not be required. EPA has specified that the mere refusal of a voluntary seller to provide access to the subject property does not constitute an unusual circumstance.

In such unusual circumstances where the on-site visual inspection cannot be performed, the AAI inquiry must include: (1) Visually inspecting the subject property via another method (such as aerial imagery for large properties), or visually inspecting the subject property from the nearest accessible vantage point (such as the property line or public road for small properties); (2) Documentation of efforts undertaken to obtain access and an explanation of why such efforts were unsuccessful;

If an on-site visual inspection cannot be performed, the final report must include an assessment and comments by the environmental professional on the significance of the failure to conduct a visual on-site inspection of the subject property with regard to the ability to identify conditions indicative of releases or threatened releases on, at, in, or to the subject property, if any.

In conducting the on-site visual inspection, the staff conducting the visit must maintain a photo log and property/site map that identifies the location/s photo was taken and approximate direction of view.

To the extent that the property and on-site structures and improvements are not obstructed by water, adjacent buildings and/or structures or other physical obstructions, the following are key areas that must be noted and observed while conducting the on-site visual inspection:

- The periphery of the property shall be visually and/or physically inspected and observed.
- To the extent possible, the adjacent and surrounding properties shall be visually and/or physically observed during the site visit, so as to determine current, and if possible past uses that may help indicate environmental conditions in connection with the adjoining/surrounding properties or the property.

- If roads or paths are present on the property, they must be walked and/or driven to determine whether it has been used as an avenue for the illegal disposal of solid and hazardous wastes or petroleum products.
- The periphery and interior of all structures on the property shall be visually and/or physically inspected and observed. This includes the accessible common areas in the structures that are expected to be used by occupants or the public, maintenance and repair areas, and the occupant spaces.
- Any current and previous areas likely to involve, or have involved, the use, treatment, storage, disposal, or generation of hazardous substances or petroleum products shall be visually and/or physically inspected and observed.
- The topographic conditions of the property shall be visually and/or physically observed and noted, as well as the general topography of the area surrounding the property that is visually and/or physically observed from the periphery of the property.
- Any sewage disposal system (on-site septic systems, cesspools, etc.) for the property shall be visually and/or physically observed.
- Above ground storage tanks, or underground storage tanks or vent pipes, fill pipes or access ways indicating underground storage tanks shall be visually and/or physically observed during the site visit.
- Strong, pungent, or noxious odors shall be noted during the on-site visual inspection.
- Drains, pools or sumps containing liquids likely to be hazardous substances or petroleum products shall be described in the report to the extent visually and/or physically observed or identified from the interviews or records review.
- Electrical or hydraulic equipment known to contain PCBs or likely to contain PCBs shall be described in the report to the extent visually and/or physically observed.
- Stains or corrosion on floors, walls, ceilings, soils or concrete shall be visually and/or physically observed during the on-site visual inspection, except for staining from water.
- Pits, ponds, or lagoons on the property shall be visually and/or physically observed, particularly if they have been used in connection with waste disposal or waste treatment. To the extent possible, pits, ponds, or lagoons on properties adjoining the property shall be visually and/or physically observed from the property.
- All wells (including dry wells, irrigation wells, drinking water supply wells, injection wells, abandoned wells, or other wells) shall be visually and/or physically observed.
- Known or suspected areas of on-site waste disposal shall be visually and/or physically observed.

Please note that while it is intended as a useful guide, it is not all inclusive and does not meet all the requirements for the AAI rule.

A. Property Use/s

1. Are there currently structures and improvements present on the property? If yes, provide a physical description of all structures and improvements, including their condition and location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

2. Is there evidence that there were structures and improvements present on the property in the past? If yes, describe the evidence and provide a physical description of all structures and improvements, including their condition and location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

3. Is there evidence of past and/or current agricultural use (livestock, crop raising, nurseries, agricultural drainage; including surface, and/or subsurface drains)? If yes, describe the operations. Provide physical description of operations and identify the location/s on the property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

4. Is there evidence of current and/or past oil and gas exploration/development. If yes describe the operations. Provide physical description of the activities and list out and identify the associated structures and improvements and identify the location/s on the property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If yes, are oil and/or gas drilling pads, holding ponds or conveyance pipelines and structures present on the property? If yes, describe the operations and improvements and identify the location/s on the property/site map.

Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

Is there evidence of current and/or past spills or releases of hazardous substances or pollutants, contaminants, petroleum and petroleum products related to the oil and gas exploration/development? If yes, describe and provide the location/s of the potential spills and releases on the property/site map. Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

5. Is there any evidence of current and/or past strip mining, hard rock mining, piles, or other extractive mineral activities? If yes, describe the operations. Provide physical description of the activities and list out and identify the associated structures and improvements (waste rock piles, mill sites, mill tailings, etc.) and identify the location/s on the property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If there is evidence of current and/or past minerals extraction operations, is there evidence of the use/storage, or release of hazardous substances (example, fuel storage tanks, cyanide or chemical use at mill sites). If yes, describe the operations and provide physical description of the evidence and provide the location/s on the property/site map. Yes ___ No ___ Not Applicable___

Photo Log ID Number/s: _____

If there is evidence of current and/or past minerals extraction operations, are there other potential environmental concerns (draining adits or acid mine drainage, waste rock or mill tailings in or adjacent to streams and surface waters, etc.). If yes, provide physical description and provide the location/s on the property/site map. Yes ___ No ___ Not Applicable___

Photo Log ID Number/s: _____

If there is evidence of current and/or past minerals extraction operations, are there physical safety hazards present (open adits, vertical shafts, heavy equipment, etc.). If yes, provide physical description of the hazards and the location/s on the property/site map.

Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

If the areas of current and/or past mineral extraction activities (mine sites, mill sites, etc) are not accessible for visual and/or physical inspection, describe the reason for the inaccessibility.

6. Describe and note the topographic conditions of the property as well as the general topography of the area surrounding the property that is visually and/or physically observed from the periphery of the property. Identify and locate on a property/site map any key topographic features that may relate to off-site or on-site migration of contaminants. Photo Log ID Number/s: _____

7. Is there evidence of modified topography, or unnatural topographic features? (i.e., fill dirt brought onto the property, cover for dumps, mounds, fill areas, depressions, etc.). If yes, provide a physical description and provide the location/s on the property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

8. Is there any evidence of waste materials currently or previously being dumped above grade, buried, and/or burned on the property? (i.e., dumps, industrial waste, petroleum products, labeled/unlabeled drums or other containers, pesticide containers, household and farm debris, automotive or industrial batteries, building demolition debris, etc.). If yes, describe the evidence and provide information relating to the waste materials and disposal areas and identify the location/s on the property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

9. Are there roads and/or paths present on the property? If yes, provide a description and indicate the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If roads and/or paths are present, is there evidence of illegal or unauthorized dumping activities occurring? If yes provide a description of the dumping and waste materials. Based on observations indicate the approximate age of the wastes and the location/s on a property/site map. Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

B. Hazardous Materials & Substances

1. Is there evidence that current operations on the property involve the processing, handling, management, disposal, storage, manufacture, or transportation of hazardous substances or petroleum products (example, official and/or unofficial shooting ranges, gasoline station, equipment/vehicle repair, printing facility, dry cleaners, photo developing laboratory, analytical laboratory, junkyard, boneyard, or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility)? If yes, describe the operations a provide information relating to the chemical use and storage and identify the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If yes, is there evidence that there has been a spill or release of hazardous substances, petroleum products, or other potential environmental problems on the property associated with **current operations**? If yes, describe the nature and location/s of the release and the quantities and types of hazardous substances and identify the location/s on a property/site map. This includes staining or soils and floors in areas utilized for the use and storage of hazardous materials.

Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

2. Is there evidence that **previous operations** on the property involved the processing, handling, management, disposal, storage, manufacture, or transportation of hazardous substances or petroleum products,(example, official and/or unofficial shooting ranges, gasoline station, equipment/vehicle repair, printing facility, dry cleaners, photo developing laboratory, analytical laboratory, junkyard, boneyard, or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility)? If yes, describe the operations and provide information relating to the chemical use and storage and identify the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If yes, is there evidence that there has been a spill or release of hazardous substances, petroleum products, or other potential environmental problems on the property associated with **past operations or tenants**? If yes, describe the nature and location/s of the release and the quantities and types of hazardous substances and identify the location/s on a property/site map. This includes staining or soils and floors in areas utilized for the use and storage of hazardous materials.

Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

3. Is there evidence that the property is currently or was previously used for any form of illegal activities which may involve the processing, handling, management, disposal, storage, manufacture, or transportation of hazardous substances or petroleum products (example, illegal drug labs, marijuana farms, stills, waste disposal sites)? (Any illegal activities may present very dangerous safety, chemical or explosive hazards. LEAVE the area immediately and report to proper local officials.) If yes, describe the activities and provide information relating to the chemical use and storage and identify the location/s on the property/site map. Yes ___ No ___

Photo Log ID Number/s: _____

4. Is there evidence of use, storage, mixing, and/or disposal of industrial drums (typically 55 gallons) or sacks of chemicals, automotive or industrial batteries, pesticides (including herbicides), paints, solvents, or other chemicals at the property? If yes, describe and indicate the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

5. Are there any unidentified substance containers on the property? if yes, provide a description of the containers that includes size, quantity and condition. Indicate their location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

6. Is there evidence of use of chemicals, automotive or industrial batteries, pesticides, herbicides, fungicides, paints, solvents, or other, on fence lines, right of ways, airstrips, heliports, crop duster operations, etc.? If yes, describe the evidence and indicate location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

7. Is there evidence of oiled roads, oil seeps and slicks, staining on the soil and cracked concrete, asphalt, adjacent to storm-water drains, or other surfaces? If yes, describe and indicate the location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

8. Are there currently any aboveground or underground storage tanks on the property or indications of the presence of abandoned aboveground or underground storage tanks, such as any vent pipes, fill pipes, access ways indicating a fill pipe, concrete or asphalt pads or patches, islands, or dispensers on the property or adjacent to any structure on the property? If yes, describe and identify what materials the tanks hold/held and identify where on the property the tanks are located.

Yes ___ No ___ Photo Log ID Number/s: _____

If aboveground or underground storage are present, is there any evidence of spill or releases. If yes, describe and indicate the location/s on a property/site map. Yes ___ No ___ N/A___ Photo Log ID Number/s: _____

9. Is there evidence or any indications that an aboveground or underground storage tank had been installed on the property in the **past**? For example, the presence of tank pads, vent pipes, fill pipes, access ways indicating a fill pipe, or dispensers on the property or adjacent to any structure on the property? If yes, describe the evidence and identify the location/s on the property where the tanks were located. If known indicate when the tanks were removed . Yes ___ No ___ Photo Log ID Number/s: _____

If aboveground or underground storage were previously present, is there any evidence of spill or releases. If yes, describe and indicate the location/s on a property/site map. Yes ___ No ___ N/A___ Photo Log ID Number/s: _____

10. Are there electric transmission lines, transformers, capacitors, or any hydraulic equipment (i.e., elevators, presses, lifts, doors, etc.) currently present on the property? If yes, describe the equipment. Indicate whether any of the equipment is labeled as either containing PCBs or being PCB free. Record information from any identification tags and indicate the location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

If electrical transmission lines, transformers, capacitors, or hydraulic equipment are present, is there any evidence of leakage, or the presence of PCBs? If yes, describe and indicate the location/s on a property/site map.

Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

11. Is there any evidence electric transmission lines, transformers, capacitors, or any hydraulic equipment (i.e., elevators, presses, lifts, doors, etc.) being present on the property in the **past**? If yes, describe the evidence and indicate if known when and what type of equipment was present. If known indicate whether any of the equipment contained PCBs and indicate the former location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

12. Are there identified mercury containing materials (i.e., fluorescent lamps, button batteries, thermostats, thermometers, manometers, and other medical devices, pressure gauges, switches, relays, sink traps, and medical waste) on site? If yes, identify the materials. Include the quantity and a description of the condition of the equipment and identify the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

13. Is there evidence of any pipelines, utility lines, railways, entry/exit ports and associated structures, either buried or overhead, or crossing the property? If yes, describe the structures and indicate the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If yes, is there any evidence of any spills or releases associated with them? If yes, provide a description and indicate the location/s on a property/site map. Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

14. Is there any evidence of contamination (i.e., hazardous substances or petroleum products) or other materials (soil, rock, etc.) migrating from adjacent and/or nearby properties onto the site? If yes, describe and indicate the location/s on a property/site map. Also indicate if the migration appears to be current or whether it happened in the past. Yes ___ No ___ Photo Log ID Number/s: _____

15. Is there any evidence of any drains, pools or sumps that contain liquids likely to be hazardous substances or petroleum products? If yes, describe and indicate the location/s on a property/site map. If know indicate what structure or site operations may be associated with the drains, pools or sumps. Yes ___ No ___ Photo Log ID Number/s: _____

16. Are there structures (i.e., buildings, water towers, lead smelters, etc.), and/or soils surrounding structures on site, which might indicate the presence of lead in dust, old paint (peeling, chipping, chalking, or cracking lead-based paint), and/or which were built prior to 1978 (or of unknown construction dates)? If yes, identify the structures. Include a description of the lead and the location/s (interior or exterior of structures) and identify the location/s on a property/site map. If lead based paint is present also indicate whether the paint is peeling and whether there is evidence of paint chips on the ground surrounding the structures.

Yes ___ No ___ Photo Log ID Number/s: _____

If a structure contains lead, is there any indication of what the intended use for the structure is, or is it to be demolished? If yes, provide description and evidence and the location/s on a property/site map.

Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

17. Are there structures on site containing identified asbestos-containing materials (ACMs) or with suspect ACMs (i.e., fire proofing, acoustical plaster, siding, floor tiles, roofing shingles, mastic, insulation, vermiculate, etc.)? If yes, describe the structure and the ACMs. Indicate the condition of the ACMs and identify the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

18. Are there floor drains present in any of the on-site structures and/or areas where hazardous materials are used and/or stored or have been used and/or stored in the past? If yes, provide a description including the current and previous use of the structure (if known) and observed operations and types of hazardous materials. Also indicate the location/s of the floor drains in the structures, the structures on a property/site map and where the floor drain discharges to. Yes ___ No ___ Photo Log ID Number/s: _____

In the areas with floor drains, is there evidence of any chemical stains present on the walls and/or floors of the on-site areas and structures where hazardous materials are/have been used and/or stored? If yes, indicate which areas/structures have chemical staining and where they are located on a property/site map. Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

19. Are there any floors, drains, ceilings, or walls stained by substances other than water or that are emitting foul and/or unnatural odors (i.e. mold, mildew, other)? If yes, describe the site operations that occur and/or that have occurred in the past and indicate the location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

20. If structures are present on the property, is there indication of how the structures are heated/cooled? If yes, describe the refrigeration/cooling systems and indicate whether they contain Freon and other regulated substances? For the heating systems, identify the heating and fuel source (for example, heating oil, gas, electric, radiators from steam boiler fueled by gas) and locate on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

C. Water/Waste Water

1. Is surface water present on the property (i.e. pits, ponds, lagoons, rivers, creeks, oceans, etc.)? If yes, provide a description of the type of surface water and its location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

If surface water is present (example pits, ponds, lagoons), is there evidence of any unnatural characteristics (i.e., color, sheens, odors, sterile, etc.). If yes, describe and indicate the location/s on a property/site map. If known indicate whether it is associated with an activity related to the property and whether it is the situation is new or has been present for an extended period of time.

Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

If surface water is present, is there evidence of hazardous materials dumping in water bodies (e.g. used for agricultural, commercial and/or industrial purposes, marinas, docks, etc.)? If yes, describe and indicate if this is a current/on-going activity or whether it has happened in the past. Indicate the location/s on a property/site map. Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

If surface water is present, is there any evidence of bank erosion and/or other unusual characteristics in running water bodies (i.e., rivers, streams, drain channels)? If yes, describe and indicate if this is a current/on-going activity or whether it has happened in the past. Indicate the location/s on a property/site map. Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

2. Is there evidence that the property currently or was previously served by an on-site drinking water supply well? If yes, describe the well and it's condition and provide the location/s on a property/site map. If the well is no longer used indicate whether it has been properly abandoned. If no, indicate whether the property is supplied by an off-site water source.

Yes ___ No ___ Photo Log ID Number/s: _____

If a well is present on the property is there evidence of any contamination of the water supply or of the nearby soils If yes, provide a description. Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

3. Is there evidence that the property currently or was previously served by a non-potable water system (example, agricultural well, livestock troughs, fire suppression, process water, irrigation, cooling). If yes, describe the well and its condition and provide the location/s on a property/site map. If the well is no longer used indicate whether it has been properly abandoned. Yes ___ No ___

Photo Log ID Number: _____

If a non-potable well is present on the property is there evidence of any contamination of the water supply or of the nearby soils If yes, provide a description. Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

4. Other than stormwater or sanitary wastewater discharges from restrooms, kitchens, or other household-type uses, is there evidence of industrial and/or other wastewater discharges on or adjacent to the property? If yes describe the discharge and indicate if it is a current/on-going activity or whether it has happened in the past. Indicate the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

5. Is there evidence that the property currently has, or had in the past, an on-site sanitary wastewater treatment and disposal systems (septic systems, sewage lagoons, etc.) or public sewer connection? If yes, describe the system and indicate which structures and operations discharged to the system. Provide the location/s of the system on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If the on-site waste water treatment and disposal system is no longer in use, is there evidence that it has been closed? If yes, describe method of closure. Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

6. Is there evidence that the property discharged waste water to an off-site facility? If yes, provide a description. Yes ___ No ___ Photo Log ID Number/s: _____

7. Is there evidence of other wastewater treatment/disposal facilities (example oil water separators, ponds, pits, lagoons, industrial) located on the property that have or may have been used for waste disposal? If yes, describe and provide the location/s on a property/site map and identify the property/site operations that may have discharged to the systems. Yes ___ No ___ Photo Log ID Number/s _____

8. Is there evidence of any other existent discharges, drains, grates, etc that have not been addressed previously? If yes, describe and indicate the location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

D. Other

- 1. Is there any evidence that any monitoring wells have been installed on the property? If yes, describe and explain the purpose of the wells (if known) and indicate the location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

If the monitoring wells have been installed and are no longer in use, is there evidence that they been properly abandoned in accordance with applicable regulatory requirements. If, yes, describe and indicate the date the well/s was abandoned if known.

Yes ___ No ___ Not Applicable___ Photo Log ID Number/s: _____

- 2. Is there evidence of stressed vegetation on the property (i.e., bare ground, distressed/dead vegetation, unusually healthy vegetation, etc.) that is not associated with insufficient or too much water? If yes, provide a description and indicate the location/s on a property/site map and any current or past site activities or operations in the area (if known).

Yes ___ No ___ Photo Log ID Number/s: _____

- 3. Are there invasive or non-native plants on the property? If yes, please indicate the location/s and common name if known (e.g., kudzu, phragmites, cheatgrass, etc.), and approximate amount if possible (e.g., approximately half an acre,etc.). Also indicate the location/s on a property/site map. Yes___ No___ Photo Log ID Number: _____

If yes, is there any indication of an attempt(s) to remove or eradicate the invasive or non-native species? If yes, provide a description and indicate the location/s on a property/site map and any current or past site activities or operations in the area (if known).

Yes ___ No ___ Photo Log ID Number: _____

Is there any indication of any vegative control programs (i.e. along transmission lines, fence lines, rights-of-ways, pipelines) conducted on the property? If yes, describe the program and types of activities. Yes ___ No ___ Photo Log ID Number: _____

4. Is there anything else observed that could indicate the presence of hazardous substances, petroleum products, or other potential environmental problems on the property? If yes, provide a description and indicate the location/s on a property/site map and how it relates to current and/or past activities or operations. Yes ___ No ___ Photo Log ID Number/s: _____

E. Surrounding Property Use

1. As can be visually and/or physically observed from the periphery of the property, are there currently structures and improvements present on the surrounding property? If yes, provide a physical description of the observable structures and improvements.

Yes ___ No ___ Photo Log ID Number/s: _____

2. As can be visually and/or physically observed from the periphery of the property, is there evidence that there were structures and improvements present on the surrounding property in the past? If yes, describe the evidence.

Yes ___ No ___ Photo Log ID Number/s: _____

3. As can be visually and/or physically observed from the periphery of the property, is there evidence that **current operations** on the surrounding property involve the processing, handling, management, disposal, storage, manufacture, or transportation of hazardous substances or petroleum products,(example, shooting ranges, gasoline station, equipment/vehicle repair, printing facility, dry cleaners, photo developing laboratory, analytical laboratory, junkyard, boneyard, or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility)? If yes, describe the operations and identify the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

4. As can be visually and/or physically observed from the periphery of the property, is there evidence that **past operations** on the surrounding property involved the processing, handling, management, disposal, storage, manufacture, or transportation of hazardous substances or petroleum products,(example, shooting ranges, gasoline station, equipment/vehicle repair, printing facility, dry cleaners, photo developing laboratory, analytical laboratory, junkyard, boneyard, or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility)? If yes, describe the evidence and identify the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

5. Is there evidence of any other nearby land uses or activities, especially upstream or up gradient that might have had a waste or dump site? For example, are there upstream or up gradient active or abandoned mine sites which may impact or threaten the property. If yes, describe evidence and the land use or activity and identify the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

6. Is there evidence of any hazardous substance or pollutant or contaminant spill or release, or other potential environmental problems on any adjacent or nearby properties? If yes, describe the evidence and the release and provide the location/s on a property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

7. As can be visually and/or physically observed from the periphery of the property, is there any evidence of contamination (i.e., hazardous substances or petroleum products) or other materials (soil, rock, etc.) migrating from adjacent and/or nearby properties onto the property/site? If yes, describe and indicate the location/s on a property/site map. Also indicate if the migration appears to be current or whether it happened in the past. Yes ___ No ___ Photo Log ID Number/s: _____

8. As can be visually and/or physically observed from the periphery of the property, is there evidence of any current or past agricultural drainage, surface, and/or subsurface drains, field runoff, etc. discharging from the adjacent properties onto the property/site. If yes, describe the discharge and indicate the location on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

9. As can be visually and/or physically observed from the periphery of the property, is there evidence of oil and gas exploration/development on the adjacent and surrounding property. If yes describe the operations and identify the location/s on the property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

If yes, is there any evidence of oil and/or gas drilling pads, holding ponds or conveyance pipelines and structures present on the adjacent and surrounding property? If yes, describe the operations and improvements and identify the location/s on the property/site map.

Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

As can be visually and/or physically observed from the periphery of the property, is there evidence of current and/or past spills or releases of hazardous substances or pollutants, contaminants, petroleum and petroleum products related to the oil and gas exploration/development? If yes, describe and provide the relative location/s on a property/site map.

Yes ___ No ___ Not Applicable ___ Photo Log ID Number/s: _____

10. As can be visually and/or physically observed from the periphery of the property, is there any evidence of strip mining, hard rock mining, piles, or other extractive mineral activities on the adjacent and surrounding property? If yes, describe the operations and identify any associated structures and improvements (waste rock piles, mill sites, mill tailings, etc.) and identify the location/s on the property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

11. As can be visually and/or physically observed from the periphery of the property, is there evidence of the use/storage, or release of hazardous substances (example, fuel storage tanks, cyanide or chemical use at mill sites) associated with the minerals extraction operations on the adjacent and surrounding property. If yes, provide a description of the evidence and provide the location/s on a property/site map. Yes ___ No ___ Photo Log ID Number/s: _____

12. As can be visually and/or physically observed from the periphery of the property, describe and note the topographic conditions of the surrounding property as well as the general topography of the area. Identify and locate on a property/site map any key surrounding topographic features that may relate to off-site or on-site migration of contaminants. Photo Log ID Number/s: _____

13. As can be visually and/or physically observed from the periphery of the property, is there evidence of modified topography, or unnatural topographic features on the surrounding property that may indicate ? (i.e., fill dirt brought onto the property, cover for dumps, mounds, fill areas, depressions, etc.).If yes, provide a physical description and provide the location/s on the property/site map.

Yes ___ No ___ Photo Log ID Number/s: _____

14. As can be visually and/or physically observed from the periphery of the property, is there evidence of stressed vegetation on the surrounding property (i.e., bare ground, distressed/dead vegetation, unusually healthy vegetation, etc.)that is not associated with insufficient or too much water? If yes, provide a description and indicate the location/s on a property/site map and any current or past site activities or operations in the area (if known. Yes ___ No ___ Photo Log ID Number/s: _____

15. As can be visually and/or physically observed from the periphery of the property, are there invasive or non-native plants on the surrounding property? If yes, please indicate the location/s and common name if known (e.g., kudzu, phragmites, cheatgrass, etc.), and approximate amount if possible (e.g., approximately half an acre, etc.). Also indicate the location/s on a property/site map. Yes___ No___ Photo Log ID Number: _____

If yes, is there any indication of an attempt(s) to remove or eradicate the invasive or non-native species on the surrounding property? If yes, provide a description and indicate the location/s on a property/site map and any current or past site activities or operations in the area (if known). Yes___ No___ Photo Log ID Number: _____

Is there any indication of any vegative control programs (i.e. along transmission lines, fence lines, rights-of-ways, pipelines) conducted on the surrounding property? If yes, describe the program and types of activities. Yes___ No___ Photo Log ID Number: _____

16. Is there anything else observed that could indicate the presence of hazardous substances, petroleum products, or other potential environmental problems on the property or surrounding properties? If yes, provide a description and indicate the location/s on a property/site map and how it does or may threaten the property/site.

Yes ___ No ___ Photo Log ID Number/s: _____

Name, title and signature of person conducting site visit survey: _____

Date of visit: _____

INTERIM - 2 October 2006